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1 J. Congress House. Committee on Indian affairs.

60TH CONGRESS, 2d Session. | HOUSE OF REPRESENTATIVES. | REPORT No. 2018.

SALE OF TIMBER ON ALLOTTED INDIAN LANDS.

FEBRUARY 2, 1909.—Referred to the House Calendar and ordered to be printed.

Mr. MARSHALL, from the Committee on Indian Affairs, submitted the following

REPORT.

[To accompany S. 4548.]

The Committee on Indian Affairs, to whom was referred the bill (S. 4548) to provide for the sale of timber on allotted Indian lands, and for other purposes, having had the same under consideration, recommend that the same do pass.

It seems that there is no general law under which timber on allotted Indian lands can be sold. The result is that a great deal of timber is wasted which otherwise could be made to produce a good return to the Indians under proper regulations. This bill simply applies to allotted lands and such sales to be made with the consent of the Secretary and under such regulations as he may prescribe. Where the Indian holds his allotment with restrictions on alienation he can no more sell the timber than he can the land because the timber is a part thereof.

Following is the report on this bill by the Senate Committee on Indian Affairs and shows that this legislation has the hearty approval of the Secretary of the Interior:

[Senate Report No. 175. Sixtieth Congress, first session.]

The Committee on Indian Affairs, to whom was referred the bill (S. 4548) to provide for the sale of timber on allotted and unallotted Indian land, and for other purposes, having had the same under consideration, begs leave to report the same favorably and recommends that the same do pass with the following amendment:

On page 2 strike out lines 3 to 7, inclusive.

The necessities for the proposed legislation are set forth in the accompanying communication of the Secretary of the Interior, which is herewith submitted and made a part of this report.

DEPARTMENT OF THE INTERIOR,
Washington, December 9, 1907.

SIR: I have the honor to submit for the consideration of Congress a draft of bill to authorize the sale of timber on allotted or unallotted lands within Indian reservations, and for other purposes.

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There is no general law under which authority for the sale of timber on Indian lands, whether allotted or unallotted, can be granted except the act of February 16, 1889 (25 Stat. L., 673), under which the President may authorize the sale of dead timber, standing or fallen, on Indian reservations or allotments. The provision in the act of April 21, 1904 (33 Stat. L., 189), empowers the Secretary of the Interior to authorize the sale of timber on allotments within the State of Minnesota, and the President has authority under the treaty of September 30, 1854 (10 Stat. L., 1109), to permit Indians who were parties to the treaty to cut timber from their allotments.

It is considered by this department that there should be a general law applicable to all Indian reservations and allotments, and I have the honor to recommend that the draft of bill herewith receive the favorable consideration of Congress.

Very respectfully,

JAMES RUDOLPH GARFIELD,
Secretary.

The PRESIDENT OF THE SENATE.

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